


FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 064162-0032 U.S. APPLIC. NO. (if known, see 37 CFR 1.5) 10/509,513
<b>TRANSMITTAL LETTER TO THE UNITED STATES          DESIGNATED/ELECTED OFFICE (DO/EO/US)          CONCERNING A FILING UNDER 35 U.S.C. 371</b>		
INTERNATIONAL APPLICATION NO PCT/AU03/00381	INTERNATIONAL FILING DATE March 28, 2003	PRIORITY DATE CLAIMED March 28, 2002
TITLE OF INVENTION A COMPOSITION AND METHOD FOR KILLING OF TUMORS		
APPLICANTS FOR DO/EO/US Gerald W. BOTH, Trevor J. LOCKETT, Peter L. MOLLOY, Fiona H. CAMERON, Pamela J. RUSSELL, Rosetta MARTINIELLO-WILKS, Minoo J. MOGHADDAM, and Ian K. SMITH		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input type="checkbox"/> is attached herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendment has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).		
Items 11. to 16. below concern other document(s) or information included:		
11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input checked="" type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English translation of the International Application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information 1) Paper copy of Sequence Listing 2) Copy of Preliminary Amendment filed September 28, 2004* 3) Date-Stamped Postcard of Preliminary Amendment filed September 28, 2004* 4) Petition for Two-Month Extension of Time		
* Please note that no additional claims fees are due at this time. A Preliminary Amendment was filed with the application on September 28, 2004 where the claims were amended to delete the multiple dependent claims to avoid the additional multiple dependent claims fee.		

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				CALCULATIONS	PTO USE ONLY
21. <input checked="" type="checkbox"/> The following fees are submitted:					
<input type="checkbox"/> Basic National Stage Fee \$300				\$0	
22. <input type="checkbox"/> Examination Fee If the written opinion prepared by ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$0 All other situations \$200				\$0	
23. <input type="checkbox"/> Search Fee (37CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB \$400 All other situations \$500				\$0	
TOTAL OF 21, 22 and 23 =				\$0	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction Thereof (round up to a whole number)	RATE		
-100	/50=		X\$250	\$0	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$0	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	0-20 =	0	x \$50.00	\$0	
Independent Claims	0-3 =	0	x \$200.00	\$0	
Multiple dependent claim(s) (if applicable)			+ \$360.00	\$0	
TOTAL OF ABOVE CALCULATIONS =				\$0	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				\$0	
SUBTOTAL =				\$0	
Processing fee of \$130.00 for furnishing the English translation later than the 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	\$0
TOTAL NATIONAL FEE =				\$0	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$40.00
TOTAL FEES ENCLOSED =				\$40.00	
				Amount to be refunded	\$0
				Amount to be charged	\$40.00
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>500417</u> in the amount of <u>\$40.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>500417</u> . A duplicate copy of this sheet is enclosed.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status. SEND ALL CORRESPONDENCE TO: Customer Number 20277 Telephone: 202.756.8000 Facsimile: 202.756.8087					
 SIGNATURE Judith L. Toffenetti NAME 39,048 REGISTRATION NUMBER				October 24, 2005 DATE	

BASED ON FORM PTO-1390 (Rev. 2-2005)

COPY

Applicant: Gerald W. BOTH, et al. Docket No. 64162-032

Title: A COMPOSITION AND METHOD FOR KILLING OF TUMOURS Serial/Reg./Patent No. Not yet assigned

Date Sent: 9/28/2004 ☒ Hand Carried ☐ Fax ☐ Electronic ☐ Cert of Mailing ☐ First Class Mail ☐ Express Mail No.

☒ Transmittal Letter

New Patent App ☐ Utility ☐ Design ☐ Cont. ☐ CIP ☐ Div. ☒ PCT ☐ RCE ☐ Prov

Other: \_\_\_\_\_

21 \_\_\_\_\_ pages of Specification ☐ Letter submitting \_\_\_\_\_ pages of drawings

4 \_\_\_\_\_ pages of Claims ☐ Req. for Approval of Drawing Amendments

\_\_\_\_\_ pages of Abstract ☐ Req. for Oral Hearing

12 \_\_\_\_\_ pages of Formal Drawings ☐ Not. of Appeal ☐ Appeal Brief ☐ Reply Brief

☐ Small Entity ☒ Large Entity ☐ Rule 312 Amendment/Letter

☐ Declaration/Power of Attorney ☐ Req. for Acknowledgement of Cited Art

☐ Recordation of Assignment ☐ Issue Fee

☒ Information Disclosure Statement ☐ Publication Fee

1 \_\_\_\_\_ Form PTO 1449 ☐ Req. for Certificate of Correction

7 \_\_\_\_\_ copies of cited references ☐ Maintenance Fee for \_\_\_\_\_ years after grant

☒ Preliminary Amendment ☐ Fee Address Indication Form

☐ Response to Missing Parts Notice ☐ Terminal Disclaimer

☐ Resp. to Notice to Correct App. Papers ☐ Petition to Commissioner

☐ Status Inquiry

Other ☐ 1. International Search Report prepared by AU.

☐ 2. Front page of Published International Application. 3. PCT/IPEA/408.

☐ 409.416 4. PCT/IB/306 (PCT Rule 92bis.1 and Administrative Instructions.

☒ Section 422

☐ Certified Copy of Priority Doc.

☐ Claim for Convention Priority

Check for \$	<input checked="" type="checkbox"/> Charge Deposit Acct. 500417\$	1354.00	Atty Init.	JLT	Trkr. #	6740	Secy. or PL:	GVeppumthara
CMS Descr.:	1-1080.00	3-144.00	5-130.00	EARLY SERIAL NUMBER				

THE PATENT AND TRADEMARK OFFICE DATE STAMPED HEREON IS ACKNOWLEDGEMENT THAT THE ITEMS, CHECKED ABOVE, WERE RECEIVED BY THE PTO ON THE DATE STAMPED.



BEST AVAILABLE COPY